

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>6/27/2022</u>

-----X
NDF1, LLC,

Plaintiff,

-against-

22-CV-4819 (VEC)

ORDER

DEVORA R. GRUENEBAUM A/K/A DEVORA :
GRUENEBAUM; JONATHAN GRUENEBAUM :
A/K/A JONATHAN E. GRUENEBAUM; THE :
BANK OF NEW YORK MELLON, AS :
SUCCESSOR IN INTEREST TO JP MORGAN :
CHASE BANK, N.A., AS TRUSTEE UNDER :
THE POOLING AND SERVICING :
AGREEMENT DATED AS OF NOVEMBER 1, :
2005 SOUNDVIEW HOME LOAN TRUST 2005- :
CTH ASSET-BACKED CERTIFICATES SERIES :
2005, DAVID'S MONEY CENTERS OF :
ROCKLAND, L.L.C., D/B/A DAVIDS CHECK :
CASHING; ROCKLAND COUNTY :
PROBATION DEPARTMENT O/B/O PEOPLE :
OF THE STATE OF NEW YORK; SY KESSLER :
SALES, INC., FEDEX TECHCONNECT, INC.; :
AMERICAN FINANCE SOLUTIONS, LLC; :
REBECCA SIMON; NEW YORK STATE :
DEPARTMENT OF TAXATION & FINANCE, :
VILLAGE OF SPRING VALLEY JUSTICE :
COURT; NEW YORK STATE DEPARTMENT :
OF LABOR; STERLING NATIONAL BANK, A :
NATIONAL BANKING ASSOCIATION; :
MERCHANT CAPITAL GROUP, LLC D/B/A :
GREENBOX CAPITAL; "JOHN DOE" and :
"JANE DOE", the last two names being fictitious, :
said parties intended being tenants or occupants, if :
any, having or claiming an interest in, or lien upon, :
the premises described in the complaint, :

Defendants. X

VALERIE CAPRONI, United States District Judge:

WHEREAS on June 10, 2022, Plaintiff filed a Complaint against fifteen Defendants, including David's Money Centers of Rockland, LLC; Merchant Capital Group, LLC; American Finance Solutions, LLC; The Bank of New York Mellon; SY Kessler Sales, Inc.; and FedEx TechConnect, Inc.; Compl., Dkt. 1;

WHEREAS Plaintiff alleges that this Court's subject matter jurisdiction in this matter is premised on diversity, *id.* ¶ 19;

WHEREAS the Complaint fails to allege diversity of citizenship between all parties;

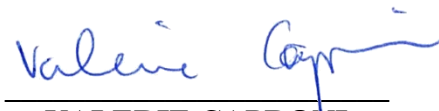
WHEREAS on June 13, 2022, this Court ordered that Plaintiff must amend its complaint or show cause why this action should not be dismissed for lack of subject matter jurisdiction by no later than June 24, 2022, *see* Dkt. 8; and

WHEREAS Plaintiff has not filed an amended complaint, nor has it shown cause for why this action should not be dismissed;

IT IS HEREBY ORDERED that this case is DISMISSED without prejudice for lack of subject matter jurisdiction. The Clerk of Court is respectfully directed to terminate all open motions, cancel all deadlines, and close the case.

SO ORDERED.

Date: June 27, 2022
New York, New York


VALERIE CAPRONI
United States District Judge